Review Conference of States Parties to the Convention on Cluster Munitions

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Review of the operation and status of the Convention and other matters important for achieving the aims of the Convention

Draft
Croatia Progress Report - monitoring progress in implementing the Vientiane Action Plan up to the First Review Conference of the Convention on Cluster Munitions[1]

Submitted by the President of the Fifth Meeting of States Parties

1. This report presents an aggregate analysis of trends and figures in the implementation of the Convention on Cluster Munitions (CCM), operationalized in the Vientiane Action Plan (VAP), from the entry into force of the Convention on 1 August 2010 up to the First Review Conference of the Convention on Cluster Munitions, in Dubrovnik, Croatia in September 2015. A special emphasis is placed on progress made since the Fifth Meeting of States Parties (5MSP), held in San José, Costa Rica, in September 2014.

2. This progress report is intended to serve as a documentation of the global implementation of the CCM and to facilitate discussions at the First Review Conference by monitoring progress and identifying key issues to be addressed. It does not replace any formal reporting. Nor does it provide a complete overview of all progress made in implementing the 66 action points of the Vientiane Action Plan. The list of challenges and questions to be discussed is not meant to be exhaustive.

3. The content of the report is based upon publicly available information, including States parties' initial and annual transparency reports, due annually on 30 April, statements made during the Fifth Meeting of States Parties , the intersessional meeting in Geneva in June 2015, and other open sources such as statements at informal meetings, press releases by States and information provided by international and civil society organizations.

[1] Due to space limitation, acronyms have been used: "CCM" refers to the Convention on Cluster Munitions; "CMC" to the Cluster Munition Coalition; "DAP" to the Dubrovnik Action Plan; "EU" to the European Union; "GICHD" to the Geneva International Centre for Humanitarian Demining; "ICRC" to the International Committee of the Red Cross; "IFRCRCS" to the International Federation of Red Cross and Red Crescent Societies; "UN-IACG-MA" to the United Nations Inter-Agency Coordination Group on Mine Action; and "VAP" refers to the Vientiane Action Plan.

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4. When referring to States parties, signatory States or States not party, these terms are used explicitly; otherwise the term "States" is used for referring to States parties, signatory States and States not party in general. The CCM has not yet entered into force for some of the States mentioned that have ratified and or acceded to the CCM, but they are still referred to as States parties to the CCM in the present document.

5. In general, the report does not distinguish between the information from statements given during the intersessional meetings, Meetings of States Parties, or the initial and/or annual transparency reports. The present report was finalized on 19 June 2015. Changes that have occurred after that date are not reflected in this report but may be taken into consideration in a post-Review Conference revision.

I. General trends

Universalization

6. The number of States parties to the CCM continues to grow. As of 19 June 2015, 116 States have joined the CCM by signing, ratifying or acceding to the Convention.[2] Of these, 92 are States parties whilst [24] are signatory States. Since last reported, eight States have become parties to the CCM.

7. Five years after the opening for signature, three-fifths of the Member States of the United Nations have joined the ban on all use, production, transfer and stockpiling of cluster munitions. After a rapid rate of ratifications and accessions in the first years of the CCM, the universalization rate saw a slow-down, a trend which has now again accelerated with the five new ratifications and three accessions in the reporting period.

8. The overall norm being established by the CCM not to use, produce, transfer and stockpile cluster munitions has been strengthened since entry into force with additional States joining as parties to the CCM and a majority of states speaking out in favor of the CCM. Evidence to this effect can be found in the multiple condemnations and expressions of concern, made by States when the norm has been challenged, since entry into force by seven instances of use in States not party to CCM.

Stockpile destruction

9. Thirty-five of the 37 States parties with reported stockpiles of cluster munitions have now either completed their stockpile destruction obligations, started the destruction process, or report to have started developing plans for such destruction. Twenty-three States parties have completed their Article 3 destruction obligations, three since the Fifth Meeting of States Parties with 14 States yet to comply. The progress shown to date furthermore strengthens the outlook for all States parties to complete destruction well within the initial eight-year deadline provided for by the CCM. In addition, the Cluster Munition Monitor 2014 reports that the number of signatory States with cluster munition stockpiles now stands at three.

Clearance

10. Five of the 16 States parties contaminated by cluster munition remnants have completed their clearance obligations. Thus, there are eleven States parties that have reported still to be contaminated by cluster munition remnants and therefore with obligations under Article 4. Further to this, two signatory States have reported to be contaminated by cluster munitions. The Cluster Munition Monitor reports that as of July

[2] Annex 1 "Tables outlining progress updates in the various thematic areas - Universalization".

2014, a total of 38 affected States and three territories are contaminated or suspected to be contaminated by cluster munition remnants.

Victim Assistance

11. Since entry into force, 12 States parties and five signatory States have reported or have been reported to have obligations under Article 5. In addition,16 States not party to the CCM and three territories have cluster munitions victims, putting at 33 the total number of States with cluster munitions victims.

International cooperation and assistance

12. Sixteen States parties have reported that they have requested international assistance since entry into force of the CCM. Of these, five have since fulfilled the obligations for which international assistance was required, two with regards to their obligations under Article 4 and three[3] with regards to their obligations under Article 3. One of these have done so in the reporting period. A total of 27 State parties[4] report that they have provided cooperation and assistance since entry into force of the CCM.

Transparency

13. Eighty-four States parties were required to submit annual Article 7 transparency reports by 30 April 2015. Of these, and as of 18 June, as many as 44 States parties had yet to submit their annual reports, decreasing the submission rate of annual transparency reports from 51 per cent in 2014 to 48 per cent in 2015. Since entry into force, three States not yet party to the CCM have also submitted voluntary initial transparency reports, one of which have now become a State party and subsequently also submitted its first annual update.

National implementation measures

14. A total of 24 States parties have now adopted legislation specifically aimed at the implementation of the CCM, while 24 States parties consider their existing legislation to be sufficient. Twenty-three States parties and one signatory are in the process of either reviewing legislation with the objective to determine the need for further actions or adopting legislation. A further 16 of State parties have not provided information on how they view their status of national implementation measures. Out of the eight states that have joined since the Fifth Meeting of States Parties , three have provided information in advance of their reporting deadlines that they intend to draft national legislation to implement the CCM.

Partnerships

15. Since entry into force of the CCM, States, United Nations agencies, the International Committee of the Red Cross (ICRC), the National Red Cross and Red Crescent Societies, civil society, including the Cluster Munition Coalition (CMC), survivors and their representative organizations, as well as other relevant stakeholders, have cooperated formally and informally at national, regional and international levels on a broad range of implementation issues.

[3] Bosnia and Herzegovina, Côte d'Ivoire, The former Yugoslav Republic of Macedonia.

[4] Andorra, Australia, Austria, Belgium, Canada, Croatia, Czech Republic, Denmark, France, Germany, Holy See, Ireland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Slovenia, South Africa, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

II. Universalization

Scope

16. Since last reported,[5] the following eight States have become parties to the CCM: Belize, Congo, Guinea, Guyana, Paraguay, State of Palestine, Canada and South Africa[6] and thereby, as of 18 June 2015, bringing the number of States parties to the CCM to 92.

Progress

17. Five years after entry into force, 24 signatory States[7] have yet to ratify the CCM.

18. Universalization and outreach actions in line with the Vientiane Action Plan have resulted in continued interest by signatory States and States not party in formally joining the CCM. Throughout the reporting period, a number of signatory States have indicated that their processes of ratification are at advanced stages with the aim to conclude prior to the first Review Conference. In addition, some States not party have also signaled that they are reviewing the CCM with the aim to accede in the near future

19. In line with action #2 - #5, 40 State parties,[8] five signatory States,[9] five States not party, [10] as well as the European Union (EU), [11] the United Nations Inter-Agency Coordination Group on Mine Action (UN-IACG-MA), the Office of the High Commissioner for Human Rights (OHCHR), the International Federation of Red Cross and Red Crescent Societies (IFRCRCS), the ICRC, the Geneva International Centre for Humanitarian Demining (GICHD) and the Cluster Munitions Coalition (CMC) have reiterated their support to the CCM in official statements delivered at the Fifth Meeting of States Parties.[12]

20. Since the First Meeting of States Parties (1MSP) a number of efforts have been made to place universalisation high on the agenda, among them two papers submitted by Portugal and Zambia to the 3 and 4th Meetings of States Parties respectively, supporting universalisation efforts.[13] Furthermore, in the reporting period, the President of the Fifth Meeting of States Parties, together with the Coordinators on universalization and the Coordinator on national implementation measures, and with the support of the ICRC, the CMC and UNDP in its capacity as interim ISU have undertaken a variety of actions

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[5] 20 July 2014.

[6] In chronological order of ratification/accession: Belize (acceded 02/09/2014), Congo (02/09/2014), Guinea (21/10/2014), Guyana (acceded 31/10/2014), Paraguay (12/03/2015), State of Palestine (acceded 02/01/2015), Canada (16/03/2015) and South Africa (28/03/2015).

[7] Angola, Benin, Central African Republic, Colombia, Cyprus, Djibouti, Democratic Republic of the Congo, Gambia, Haiti, Iceland, Indonesia, Jamaica, Kenya, Liberia, Madagascar, Namibia, Nigeria, Palau, Philippines, Rwanda, Sao Tome and Principe, Somalia, Tanzania and Uganda.

[8] Afghanistan, Australia, Belgium, Belize, Burkina Faso, Canada, Chile, Congo, Costa Rica, Croatia, Ecuador, El Salvador, France, Germany, Guatemala, Holy See, Honduras, Iraq, Ireland, Italy, Japan, Lao People's Democratic Republic, Lebanon, Lesotho, Mauritania, Mexico, Netherlands, New Zealand, Norway, Panama, Paraguay, Portugal, Senegal, Slovenia, Spain, Swaziland, Switzerland, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, and Zambia.

[9] Colombia, Jamaica, Namibia, Somalia and Uganda.

[10] China, Cuba, South Sudan, Tajikistan and Thailand.

[11] Gathering The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina and Republic of Moldova.

[12] During the opening ceremony, the general exchange of views and the session on universalization at the Fifth Meeting of States Parties.

[13] http://www.unog.ch/80256EE600585943/(httpPages)/5BD2AEC9172B6E3FC1257B36005CB64C?OpenDocument

promoting the universalization of the CCM and its norms as well as in acknowledging the obstacles and challenges faced by signatory States and States not party in the ratification or accession to the CCM. These included two regional workshops held in Geneva, gathering representatives of Asia-pacific and European countries respectively as well as a workshop for Central and Latin America states which took place in San José, Costa Rica, 1 September 2014.

21. Actions also include bilateral meetings with signatory States and States not party convened by the President of the Fifth Meeting of States Parties throughout the period of his Presidency. These included several actions for the universalization of the Convention. On 3rd December, for the celebration of the sixth anniversary of the signature of the Convention, the Minister for Foreign Affairs of Costa Rica, launched an appeal to reach 100 States parties before the Review Conference, requesting all States parties and other stakeholders to redouble their efforts to encourage additional ratifications and accessions to the Convention. During a visit to Geneva in March 2015, the President met separately with the President-designate, Coordinators on universalization, civil society representatives and the ICRC to discuss how best to achieve these aims. A list of targeted countries was drafted on the basis of information provided by individual States with regards to their expressed aims and prospects for accession and the status of their individual ratification processes. The President also held bilateral meetings with Foreign Ministers present in Geneva at the Human Rights Council to encourage their respective governments to take appropriate action.

22. Since entry into force, there has been confirmed and/or documented alleged use of cluster munitions in eight States not party to the CCM.[14] In the period covered by this report, five such instances have been documented; in Libya, Ukraine, Sudan, Syrian Arab Republic and in Yemen.[15] While these instances of use are of great concern, the difficulties in establishing the responsible parties for the use in most cases is an indication of the strengthening norm being established by the CCM, even among States not party. In line with action #6, 157 States,[16] including both States parties and States not yet party to the CCM, have condemned or otherwise expressed concern with the use of cluster munitions in the context of ongoing and widespread use in the Syrian Arab Republic that commenced in July 2012. In addition, at least 52 States[17] have condemned or expressed concern with the use of cluster munitions in Ukraine in 2014. Three States,[18] including the President of the Fifth Meeting of States Parties and the President-Designate of the First Review Conference, have condemned or expressed concern with the use of cluster munitions in Yemen in 2015, statements which were followed by a large number of States parties as well as States not party to the CCM and organisations who condemned or otherwise expressed concern over the use of cluster munitions in these States, at the 2015 intersessional.[19]

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[14] Used in Cambodia (2011) and in Libya (2011, 2014 and 2015); in the Syrian Arab Republic (2012, 2013, 2014 and 2015); in South Sudan (2014) in Ukraine (2014 and 2015) and in Yemen (2015) and allegedly used in Myanmar (2013) and in Sudan (2012 and 2015).

[15] https://www.hrw.org/news/2014/02/18/syria-new-deadly-cluster-munition-attacks; http://www.hrw.org/news/2015/02/04/dispatches-more-cluster-munition-use-ukraine; http://www.hrw.org/news/2015/03/14/libya-evidence-new-cluster-bomb-use; https://www.hrw.org/news/2015/04/15/sudan-cluster-bombs-used-nuba-mountains; http://www.hrw.org/news/2015/05/03/yemen-saudi-led-airstrikes-used-cluster-munitions.

[16] http://www.stopclustermunitions.org/en-gb/cluster-bombs/use-of-cluster-bombs/cluster-munition-use-in-syria.aspx

[17] http://www.stopclustermunitions.org/en-gb/cluster-bombs/use-of-cluster-bombs/cluster-munition-use-in-ukraine.aspx

[18] Croatia, Costa Rica and Norway.

[19] Austria, Belgium, Burundi, Ecuador, Ireland, Italy, Lebanon, Madagascar, Mexico, Netherlands, New Zealand, State of Palestine, Sweden, Switzerland, Turkey and Uganda as well as the United Nations, the European Union, the ICRC and the CMC.

23. Outreach activities in line with action #7 have enabled the participation of signatory States and States not party to the CCM in formal and informal meetings of the CCM. Fifteen signatory States[20] and 22 other observers[21] participated in the Fifth Meeting of States Parties with a further eight signatory States[22] and 18 States not party[23] participated in the 2015 intersessional meeting. Three States parties[24] provided funding for the sponsorship programme facilitating support for low income and affected state participation at the Fifth Meeting of States Parties and the 2015 intersessional meeting. Sponsorship enabled the participation of 43 delegates from 28 States parties,[25] seven signatory States[26] and eight States not party[27] at the 5MSP and—cost shared with the Anti-Personnel Landmines Convention ntersessional meeting programme, an additional 14 delegates from ten States parties,[28] two signatory States[29] and two States not yet party[30] at the 2015 intersessional meeting.

Challenges and questions for discussion at the first Review Conference:

24. The challenges raised at the Fifth Meeting of States Parties remain the same, namely:

- to reinforce the norm and end the use of cluster munitions by States not party
- to increase the pace of ratification and accession to the CCM by States not party but who nevertheless are contaminated by cluster munitions, in possession of stockpiles or producers of cluster munitions; and of those with responsibility for the wellbeing of survivors.
- to place the ratification or accession to the CCM by signatory States as a priority in the national parliamentary agenda

25. Questions to discuss at the first Review Conference may include:

(a) How can regional and international cooperation and assistance be used and promoted to increase the membership of the CCM?

(b) How can States parties work in partnership with civil society and other international organizations to advance universalization of the treaty and reinforce the norm not to use cluster munitions under any circumstances and by any actor, as well as to investigate and report back on allegations of use?

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[20] Angola, Benin, Canada, Colombia, Democratic Republic of the Congo , Haiti, Jamaica, Madagascar, Namibia, Paraguay, Philippines, Somalia, South Africa, Uganda and Tanzania.

[21] Argentina, Armenia, Bangladesh, China, Cuba, Eritrea, Finland, Gabon, Mongolia, Morocco, Qatar, Saudi Arabia, Singapore, Sri Lanka, South Sudan, State of Palestine, Sudan, Tajikistan, Thailand, Turkey, Ukraine and Yemen.

[22] Angola, Colombia, Democratic Republic of the Congo, Indonesia, Madagascar, Namibia, Philippines and Uganda.

[23] Cambodia, China, Cuba, Ethiopia, Finland, India, Libya, Morocco, Pakistan, Qatar, Serbia, Slovakia, Sudan, Tajikistan, Thailand, Turkey, Yemen and Zimbabwe.

[24] Ireland, New Zealand and Norway.

[25] Afghanistan, Albania, Antigua and Barbuda, Belize, Bosnia and Herzegovina, Burkina Faso, Cameroon, Chile, Costa Rica, Cote d'Ivoire, Ecuador, El Salvador, Guatemala, Guinea-Bissau, Honduras, Iraq, Lao People's Democratic Republic, Lesotho, Mali, Mauritania, Mexico, Montenegro, Mozambique, Niger, Peru, Republic of Moldova, Swaziland and Zambia.

[26] Democratic Republic of the Congo, Jamaica, Madagascar, Somalia, South Africa (signatory State at the Fifth Meeting of States Parties), Uganda, and Tanzania.

[27] Bangladesh, Cuba, Mongolia, South Sudan, State of Palestine (not party at the Fifth Meeting of States Parties), Sudan and Yemen.

[28] Chile, Lao People's Democratic Republic, Lebanon, Mauritania, Montenegro, Mozambique, Niger, Peru, Senegal and South Africa.

[29] Democratic Republic of the Congo and Madagascar.

[30] Ethiopia and Zimbabwe.

III. Stockpile destruction

Scope

26. A total of 37 States parties[31] have reported to have obligations under Article 3 of the CCM, of which 23 have declared completion of their stockpile destruction obligations or indicated the destruction of stocks before the ratification of the CCM.[32] There are thus 14 State Parties[33] with current obligations under Article 3. In addition, the Cluster Munition Monitor 2014 reported that three signatory States[34] and 48 States not Party[35] hold stockpiles of cluster munitions.

Progress

27. Three States parties[36] have announced compliance with obligations under Article 3, either at the Fifth Meeting of States Parties, in official correspondence or through the Article 7. Of these, Canada announced the destruction of its stocks at the Fifth Meeting of States Parties, before ratifying the CCM whilst the other two completed destruction during the reporting period.

28. Further to this, Congo, who recently become a State party to the CCM has previously announced that it holds no stockpiles whilst the two other recent States parties, Guinea and South Africa, reportedly hold stocks and are thereby subject to obligations under Article 3.

29. In line with action #8, among States parties with remaining stockpile destruction obligations, 12 States[37] have reported that a destruction plan is in place or that a process of developing concrete implementation plans is underway. In the reporting period, six States parties have provided updated information on the expected completion date of destruction under Article 3. As such, and based on the information provided at previous occasions by States parties, five additional States parties[38] should be in compliance with their Article 3 obligations by the end of 2015, four[39] by 2018, one[40] by 2019 and one[41] by 2021.

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[31] Afghanistan, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Congo, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Ecuador, France, Germany, Guinea, Guinea-Bissau, Honduras, Hungary, Iraq, Italy, Japan, Montenegro, Mozambique, Netherlands, Norway, Peru, Portugal, Republic of Moldova, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland.

[32] Afghanistan, Austria, Belgium, Bosnia and Herzegovina, Canada, Chile, Congo, Côte d'Ivoire, Czech Republic, Denmark, Ecuador, Honduras, Hungary, Iraq, Japan, Montenegro, Netherlands, Norway, Portugal, Republic of Moldova, Slovenia, The former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland.

[33] Botswana, Bulgaria, Croatia, France, Germany, Guinea, Guinea-Bissau, Italy, Mozambique, Peru, South Africa, Spain, Sweden and Switzerland.

[34] Angola, Indonesia, and Nigeria.

[35] Algeria, Azerbaijan, Bahrain, Belarus, Brazil, Cambodia, China, Cuba, Egypt, Eritrea, Estonia, Ethiopia, Finland, Georgia, Greece, India, Iran, Israel, Jordan, Kazakhstan, North Korea, South Korea, Kuwait, Libya, Mongolia, Morocco, Oman, Pakistan, Poland, Qatar, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Sudan, Syrian Arab Republic, Thailand, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United States of America, Uzbekistan, Venezuela, Yemen and Zimbabwe.

[36] Bosnia and Herzegovina, Canada and Japan.

[37] Botswana, Bulgaria, Croatia, France, Germany, Italy, Mozambique, Peru, South Africa, Spain, Sweden and Switzerland.

[38] Botswana, Germany, Italy, Mozambique and Sweden.

[39] Croatia, France, Spain and Switzerland.

[40] Bulgaria.

30. Furthermore, seven[42] States parties report to have begun physical destruction of their stocks of cluster munitions. Of these, Croatia[43] stated in its Article 7 report that the destruction of cluster munitions was currently halted but that it will continue, most probably as of August 2015. In addition, at the Fifth Meeting of States Parties, Guinea-Bissau indicated that the political situation now had improved and allowed them to continue the stockpile destruction of cluster munitions, which formed part of a larger destruction.[44] Ten of the 14 States parties with stockpile destruction obligations have submitted Article 7 reports that also provide information on the number and type of cluster munitions stockpiled.[45]

31. According to the 2014 Cluster Munition Monitor, more than 1.16 million cluster munitions containing nearly 140 million sub-munitions have been destroyed by States parties as a result of efforts to implement the CCM.[46] This constitutes over 80 per cent of the total amount of stockpiled cluster munitions declared by States parties. Most States parties with obligations to destroy stockpiles have indicated that they will finish the destruction of all stockpiles well in advance of their deadline. Moreover, stockpile destruction has proved to be less costly and less complicated than previously anticipated, all together strong indicators of the success of Article 3 implementation under the CCM.

32. Twelve States parties[47] have reported that they retain or have retained cluster munitions and explosives sub-munitions for training purposes and for the development of countermeasures in accordance with provisions granted under Article 3 (6). Out of these, two States parties[48] that initially retained cluster munitions have since destroyed the retained stocks with decisions not to replace them. All States parties who retain cluster munitions and/or explosive sub-munitions have provided information about types and quantities of the retained stocks in the reporting period.

Challenges and questions for discussion at the first Review Conference

33. As stated in the San José Progress Report, the main challenge is to ensure the continued momentum for rapid destruction of stockpiles, and to utilize provisions for international cooperation and assistance to that end. This includes making more publically known the successful implementation to date underlining that the process, in most cases, have proven faster, cheaper and less complex than initially anticipated and that more and more States now have this concrete experience which can be constructively shared to assist others in the process.

34. Another key challenge is to ensure that the amount of explosive sub-munitions retained or acquired does not exceed the minimum number absolutely necessary for the purposes permitted under Article 3.6 of the Convention.

35. Questions to discuss at the first Review Conference may include:

(a) How can States parties most efficiently support destruction of small or limited stockpiles of cluster munitions?

[41] Peru.

[42] Croatia, France, Germany, Italy, Mozambique, Sweden and Switzerland

[43] Croatia.

[44] Guinea-Bissau.

[45] Bulgaria, Croatia, France, Germany, Italy, Mozambique, Peru, Spain, Sweden and Switzerland.

[46] http://www.the-monitor.org/cmm/2014/pdf/2013%20Cluster%20Munition%20Monitor.pdf, page 20.

[47] Australia, Belgium, Czech Republic, Denmark, France, Germany, Italy, Netherlands, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

[48] Australia and the United Kingdom of Great Britain and Northern Ireland.

(b) How can States parties support other States parties and also States not party with more significant stockpile destruction challenges?

(c) How can international cooperation and assistance between States with stockpiles and States with destruction capacities be optimized?

(d) How can the dissemination of information on innovative and cost-effective technologies to destroy stockpiles be ensured more effectively?

(e) how to ensure that the amount of explosive sub-munitions retained or acquired does not exceed the minimum number absolutely necessary for the purposes permitted under the CCM.

IV. Clearance

Scope

36. Eleven States parties[49] have reported to be contaminated by cluster munition remnants and therefore have obligations under Article 4 in the reporting period. Further to this, the United Kingdom of Great Britain and Northern Ireland reports that it conducted extensive survey and clearance of cluster munition remnants on the Falkland Islands during 1982-1984, removing the humanitarian and development threat posed by cluster munition contamination there. However, during demining operations on the Falklands in 2015, 19 sub-munitions were identified within a fenced Suspect Hazardous Area and subsequently destroyed. The United Kingdom of Great Britain and Northern Ireland states that it is possible that a very small additional number of cluster munition remnants may remain within marked and fenced mined areas in remote parts of the Islands. This amounts to no more than a limited possibility of a residual presence, the possible existence of which does not pose any threat to civilians or the economic development of the Islands.[50]

37. Two signatory States[51], one[52] which itself reported to be, and one[53] which reported by others, is stated to be contaminated by cluster munitions. According to the Cluster Munition Monitor 2014, contamination is also suspected but not confirmed in three signatory States.[54] As of July 2014, the report indicates that a total of 38 affected States[55] and three territories[56] where contamination by cluster munition remnants have either been confirmed or is strongly suspected.

38. At the Fifth Meeting of States Parties and upon fulfilling obligations set out in sub-paragraphs 4.1 (a) and (b) of the CCM, two States parties[57] made submissions under Article

[49] Afghanistan, Bosnia and Herzegovina, Chad, Chile, Croatia, Germany, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.

[50] Arms Export Policy Department, Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland.

[51] Democratic Republic of the Congo and Somalia.

[52] Democratic Republic of the Congo.

[53] Somalia.

[54] Angola, Colombia and Palau.

[55] Afghanistan, Angola, Azerbaijan, Bosnia and Herzegovina, Cambodia, Chad, Chile, Colombia, Croatia, Democratic Republic of the Congo, Eritrea, Ethiopia, Falkland Islands/Malvinas (with no prejudice of sovereignty claims), Georgia (South Ossetia), Germany, Iran, Iraq, Israel, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libya, Montenegro, Mozambique, Palau, Russian Federation (Chechnya), Saudi Arabia, Serbia, Somalia, South Sudan, Sudan, Syrian Arab Republic, Tajikistan, Ukraine, Viet Nam and Yemen.

[56] Kosovo, Nagorno-Karabakh and Western Sahara.

[57] Mauritania (CCM/MSP/2014/WP.3) and Norway (CCM/MSP/2014/WP.2)

4 providing declarations of compliance in accordance with provisions under Article 4.1 (c) of the CCM.

Progress

39. To date, five States parties[58] have completed their obligation under Article 4. Of these, two States parties[59] have done so before the entry into force of the CCM, one State party[60] made a declaration of compliance under Article 4 at the Third Meeting of States Parties and two States parties[61] declared compliance having fulfilled their obligations under Article 4 at the Fifth Meeting of States Parties.

40. Since entry into force, nine States parties[62] and one signatory State[63] have reported on measures taken to prevent civilian access to areas contaminated by cluster munitions remnants, primarily by marking those areas in line with action #11. Of these, eight States parties[64] have reiterated and or updated this information in the reporting period.

41. Since entry into force, all States parties with obligations under Article 4 have provided information on the size and location of contaminated areas and/or reported to have conducted or planned survey activities in line with action #12, and nine[65] have done so in the reporting period. Furthermore one signatory State[66] affected by cluster munitions remnants provided updated information on the contamination in line with action #12 at the Fifth Meeting of States Parties. Adding to previous clearance plans, two States parties reported[67] on efforts undertaken to develop and implement a national clearance plan in the reporting period in accordance with action #13. In line with action #14, two States parties[68] have reported on how they have included and informed affected communities in their development of national clearance plans and planning of clearance activities and land release.

42. In line with action #15, of the ten States parties[69] and one signatory State[70] that have reported on methods applied for survey and/or clearance in contaminated areas, seven States parties[71] and one signatory State[72] have reiterated and or updated this information in the reporting period. One State party[73] stated that a technical survey is scheduled for 2015. Of the seven States parties[74] that have provided information on the size and location of

[58] Albania, Grenada, Mauritania, Norway and Zambia.
[59] Albania and Zambia.
[60] Grenada.
[61] Mauritania and Norway.
[62] Afghanistan, Bosnia and Herzegovina, Chad, Croatia, Germany, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.
[63] Democratic Republic of the Congo.
[64] Afghanistan, Bosnia and Herzegovina, Croatia, Germany, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.
[65] Afghanistan, Bosnia and Herzegovina, Croatia, Germany, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.
[66] Democratic Republic of the Congo.
[67] Afghanistan and Mozambique.
[68] Lao People's Democratic Republic and Lebanon.
[69] Afghanistan, Bosnia and Herzegovina, Chad, Chile, Croatia, Germany, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.
[70] Democratic Republic of the Congo.
[71] Afghanistan, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.
[72] Democratic Republic of the Congo.
[73] Germany.
[74] Afghanistan, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.

contaminated areas that have been released, all of these have provided updated information in the reporting period, in accordance with action #16.

43. Seven States parties[75] and one signatory State[76] have reported on efforts undertaken to develop and provide risk reduction education programmes to affected populations in line with action #17. In line with action #19, six States parties[77] have reported on challenges and priorities for assistance. Since the First Meeting of States Parties, three policy papers have been submitted by States to a Meeting of States Parties with the aim of clarifying expectations of and supporting States parties' compliance with obligations under Article 4.[78]

Challenges and questions for discussion at the first Review Conference

44. The challenges raised at the Fifth Meeting of States Parties remain the same, namely:

- the development and implementation of national strategic plans that apply context-relevant and up-to-date survey and land release methods;
- the management of information gained through surveys with a view to assuring the necessary and sustainable quality of clearance activities;
- the identification and mobilization of resources to fulfil the obligations under article 4.

45. Questions to discuss at the first Review Conference may include:

How can States parties and other implementation actors best support affected States' efforts to develop and implement cost-efficient survey and land-release plans for affected areas?

V. Victim Assistance

Scope

46. Since entry into force, 12 States parties[79] and five signatory States[80] have reported or have been reported to have obligations under Article 5. In addition,16 States not party[81] and three territories[82] have cluster munitions victims, which in summary, adds two new States, e.g. one signatory State[83] and one State not party[84], putting at 33 the total number of states

[75] Afghanistan, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.
[76] Democratic Republic of the Congo.
[77] Afghanistan, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.
[78] "Application of all available methods for the efficient implementation of Article 4" (CCM/MSP/2011/WP.4), submitted by Australia at the Second Meeting of States Parties; "Implementation of Article 4: Effective steps for the clearance of cluster munition remnants" (CCM/MSP/2013/5), submitted by Ireland and Lao People's Democratic Republic at the Fourth Meeting of States Parties; and "Compliance with Article 4" (CCM/MSP/2013/WP.1), submitted by the President of the Third Meeting of States Parties at the Fourth Meeting of States Parties.
[79] Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Guinea-Bissau, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro, Mozambique and Sierra Leone.
[80] Angola, Colombia, Democratic Republic of the Congo, Somalia and Uganda.
[81] Cambodia, Eritrea, Ethiopia, Georgia, Israel, Kuwait, Libya, Russian Federation, Serbia, South Sudan, Sudan, Syrian Arab Republic, Tajikistan, Ukraine, Viet Nam and Yemen.
[82] Kosovo, Nagorno-Karabakh and Western Sahara.
[83] Somalia.
[84] Ukraine.

with cluster munitions victims. Twenty-five[85] of these are also States parties to the Convention on the Rights of Persons with Disabilities and three are signatory States.[86]

Progress

47. Annual Article 7 reporting is not exhaustive as several States with victims have yet to report.[87] Notwithstanding, one State party[88] indicated that nothing had changed since the last reporting period whilst three States parties[89] reported of new accidents which killed three, two, and one person respectively.

48. In line with action #21 all but two States parties[90] with known cluster munitions victims have designated one or more focal points for victim assistance activities in reference to Article 5 of the CCM. Of these, one State[91] provided updated information on the focal point, one[92] indicated that the establishment of a Working Group for Mine Victims Assistance and CCM was in progress and, until completed, the National Mine Action Centre would remain the focal point in relation to the CCM. One additional State party[93] provided updates on the activities of the government body responsible.

49. Nine States parties[94] have reported that they have started or are undertaking data collection in line with action #22. Of these, three States[95] provided updated statistics from their database of cluster munition victims in the reporting period. Among the nine, one State party[96] provided information on cluster munitions victims and indicated that special procedures with regards to collection on cluster munitions victim data had been discontinued for financial reasons; one State party[97] reported on the initiation of a database design project, one[98] reported having established and continuing a survivor tracking survey system that collects data on the needs of survivors whilst one State party[99] reported that additional surveys were needed to identify victims of cluster munitions.

50. Of the nine State parties[100] and one State not party[101] having reported that their victim assistance efforts are integrated with existing disability-coordination mechanisms in line with action #23, two[102] have provided updates in 2015.

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[85] Afghanistan, Albania, Angola, Bosnia and Herzegovina, Cambodia, Colombia, Croatia, Ethiopia, Georgia, Guinea-Bissau, Iraq, Israel, Kuwait, Lao People's Democratic Republic, Montenegro, Mozambique, Russian Federation, Serbia, Sierra Leone, Sudan, Syrian Arab Republic, Uganda, Ukraine, Viet Nam and Yemen.

[86] Chad, Lebanon and Libya.

[87] Chad, Guinea-Bissau, Lebanon and Sierra Leone.

[88] Montenegro.

[89] Afghanistan, Iraq and Lao People's Democratic Republic.

[90] Guinea-Bissau and Sierra Leone.

[91] Afghanistan.

[92] Bosnia and Herzegovina.

[93] Croatia.

[94] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.

[95] Afghanistan, Iraq and Lao People's Democratic Republic.

[96] Bosnia and Herzegovina.

[97] Croatia.

[98] Lao People's Democratic Republic.

[99] Mozambique.

[100] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.

[101] Cambodia.

[102] Bosnia and Herzegovina and Croatia.

51. Eight States parties[103] and three States not party[104] have previously reported to have developed and/or adapted plans and/or budgets in line with action #24. Among the four with updates in 2014-2015 were one State party[105] having drafted a national victim assistance strategy, one State party[106] currently working on a National Plan for assistance to victims of landmines and explosives remnants of war 2014-2019 to be approved in 2015, and two States parties[107] reporting on actions and projects aimed at addressing the needs of victims.

52. Ten of the 12 States parties[108] with obligations under Article 5 have taken concrete steps to enhance accessibility of victim assistance services, including improvements in prosthetics services, healthcare/rehabilitation services in previously contaminated areas and free medical care and distribution of disability cards to survivors, in line with action #25, seven[109] of which have reported on such measures in the reporting period.

53. Of the seven States parties[110] that have reported having reviewed or currently are reviewing their national laws and policies in line with action #26, one[111] provided updated information in the reporting period.

54. In line with action #27, seven States parties[112] have reported in previous years on outreach activities aimed at raising awareness among cluster munitions victims about their rights and available services through week or day training and the opportunities provided by the international anniversary day of the entry into force, 1 August. Three States parties[113] have done so in the reporting period.

55. Since entry into force, eight States parties[114] have reported having undertaken action #29 to mobilize national and international resources, seven[115] in the reporting period.

56. An increased number of States report that survivors were involved in victim assistance, including providing ongoing services such as prosthetics or delivery peer-to-peer support in line with action #30, up from four in 2014, to eight[116] of the 12 States parties with known cluster munitions victims.

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[103] Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Lao People's Democratic Republic, Lebanon and Mozambique.

[104] Cambodia, the Democratic Republic of the Congo and Uganda.

[105] Lao People's Democratic Republic.

[106] Mozambique.

[107] Afghanistan and Bosnia and Herzegovina.

[108] Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.

[109] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic and Mozambique.

[110] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Lao People's Democratic Republic, Lebanon and Mozambique.

[111] Afghanistan.

[112] Afghanistan, Albania, Bosnia and Herzegovina, Chad, Iraq, Lao People's Democratic Republic and Lebanon.

[113] Afghanistan, Bosnia and Herzegovina and Iraq.

[114] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.

[115] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic and Mozambique.

[116] Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon and Mozambique.

Challenges and questions for discussion at the first Review Conference

57. Although some few but important improvements have been reported, in particular with regards to inclusion, the challenges raised at the Fifth Meeting of States Parties remain the same:

- to ensure that affected States parties identify the needs of survivors, as well as the capacity gaps to provide assistance, so as to be able to fulfil their victim assistance obligations.
- to ensure that victim assistance activities are based on the needs and priorities of those affected, and that resources are used efficiently;
- to create sustainable services and programmes and to ensure that the lifelong needs of victims are met;
- to ensure that victim assistance efforts are integrated with wider development, disability and human rights efforts, and to make best use of opportunities that allow for a holistic approach that encompasses all victims of landmines and explosive remnants of war as well as other people with similar needs;
- to improve collaboration and cooperation between States parties and civil society actors working directly with victims.
- to increase the involvement of victims and their representative organisations in the policy development and practical implementation of victim assistance measures.

58. Questions to discuss at the first Review Conference may include:

(a) How can States parties better and more practically link victim assistance efforts under the CCM to activities promoting the rights of victims under other relevant instruments of international law, especially the Convention on the Rights of Persons with Disabilities as well as development cooperation efforts?

(b) How can all actors work together to overcome challenges related to building national capacity and strengthening national ownership?

(c) How can States parties ensure that victims of cluster munitions can access services on an equal basis to others and have access to specialized services when needed?

(d) How can States parties best operationalize their obligations towards victims of cluster munitions, in particular by locating victims and assessing their needs and priorities as soon as possible, while observing their obligation not to discriminate on the basis of what caused the injury/disability?

(e) How can States parties better implement employment incentive programmes and training and micro-crediting opportunities to reach victims and persons with disabilities, recognizing in particular the vulnerability of women with disabilities and the specific needs of families of persons killed?

VI. International Cooperation and Assistance

Scope

59. Sixteen States parties[117] have reported that they have requested international assistance since entry into force of the CCM. Of these, five[118] have since fulfilled the obligations for which international assistance was required, two[119] with regards to their obligations under Article 4 and three[120] with regards to their obligations under Article 3. One of these have done so in the reporting period.[121]

Progress

60. Since entry into force, seven States parties[122] and one signatory State[123] have requested cooperation and assistance to fulfil obligations under stockpile destruction, one more since the last reporting who indicated that the support received had allow the fulfillment with its Article 3 obligations.[124]

61. Ten States parties[125] and one signatory State[126] have sought assistance for activities under clearance and/or risk reduction since entry into force. Of these, seven States parties[127] and the signatory State have done so in the reporting period.

62. Seven States parties[128] and three signatory States[129] have expressed the need for support in undertaking victim assistance since entry into force and six of these States parties[130] and all the signatory States[131] listed have reiterated the need for support in victim assistance.

63. Two additional States parties[132] have been added to the group of now 27 State parties[133] that have provided support to international cooperation and assistance since entry into force of the CCM.

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[117] Afghanistan, Albania, Bosnia and Herzegovina, Chad, Côte d'Ivoire, Croatia, Grenada, Guinea-Bissau, Iraq, Lao People's Democratic Republic, Lebanon, Mauritania, Montenegro, Mozambique, Peru, The former Yugoslav Republic of Macedonia.

[118] Bosnia and Herzegovina, Côte d'Ivoire, Grenada, The former Yugoslav Republic of Macedonia, Mauritania.

[119] Grenada and Mauritania.

[120] Bosnia and Herzegovina, Côte d'Ivoire and The former Yugoslav Republic of Macedonia.

[121] Bosnia and Herzegovina.

[122] Bosnia and Herzegovina, Côte d'Ivoire, Croatia, Guinea-Bissau, Mozambique, Peru and The former Yugoslav Republic of Macedonia.

[123] Nigeria.

[124] Bosnia and Herzegovina.

[125] Afghanistan, Chad, Croatia, Grenada, Iraq, Lao People's Democratic Republic, Lebanon, Mauritania, Montenegro and Mozambique.

[126] Democratic Republic of the Congo.

[127] Afghanistan, Croatia, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Mozambique.

[128] Afghanistan, Albania, Bosnia and Herzegovina, Guinea-Bissau, Lao People's Democratic Republic, Lebanon and Mozambique.

[129] Democratic Republic of the Congo, Somalia and Uganda.

[130] Afghanistan, Albania, Bosnia and Herzegovina, Guinea-Bissau, Lao People's Democratic Republic and Mozambique.

[131] Democratic Republic of the Congo, Somalia and Uganda.

[132] Andorra and the Czech Republic.

[133] Andorra, Australia, Austria, Belgium, Canada, Croatia, Czech Republic, Denmark, France, Germany, Holy See, Ireland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Netherlands, New

64. Eleven States parties[134] have reported to have received dedicated assistance for activities under the CCM, six[135] in the reporting period, two[136] of these for activities related to victim assistance, two[137] for activities related to stockpile destruction and four[138] for clearance activities.

65. Since entry into force, 22 States parties[139] have implemented action #33, developing or updating national plans for meeting their obligations under the CCM. In such plans, national and international non-governmental organizations and/or the United Nations are reported to be partners in stockpile destruction, clearance and victim assistance activities, in line with action #44.

66. Since entry into force, States and other actors have used both formal and informal meetings to exchange information and experiences and to promote technical cooperation, through panel discussions and contributions by technical experts, in line with actions #35 and #36. The same framework has been utilized to discuss international cooperation and assistance in line with actions #43 and #45.

Challenges and questions for discussion at the first Review Conference

67. Although additions to the pool of donors have been recorded, challenges remain in ensuring efficient and effective cooperation and assistance within the framework of the CCM. Opportunities to request technical, methodological and financial assistance are not optimally utilized and there remains a mismatch with the number of States and organisations reporting to assist with that of those who have requested assistance. Challenges identified include:

- To increase the quality of information provided in the Article 7 transparency reports to develop cooperation and assistance, especially as it relates to providing clear information on plans indicating the activities and timeframes for which support is needed and sought.
- To diversify cooperation and assistance consisting not only in mobilizing and attaining financial resources from donors, but also ensuring the sharing and transfer of skills, expertise, experiences, lessons learned and technical exchanges.
- To maintain consistency and coordinated cooperation and assistance, ensuring the provision of well-integrated support within the framework of longer and broad-term perspectives?

68. Questions to discuss at the first Review Conference may include:

(a) How could States make their needs more clearly known? How to gain a better understanding of the policies, approaches and best practices of donors with respect to future

Zealand, Norway, Slovenia, South Africa, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

[134] Afghanistan, Albania, Bosnia and Herzegovina, Côte d'Ivoire, Grenada, Lao People's Democratic Republic, Lebanon, Mauritania, Montenegro, Mozambique and Republic of Moldova.

[135] Afghanistan, Albania, Bosnia and Herzegovina, Lao People's Democratic Republic, Lebanon and Mozambique.

[136] Afghanistan and Albania.

[137] Bosnia and Herzegovina and Mozambique.

[138] Afghanistan, Lao People's Democratic Republic, Lebanon and Mozambique.

[139] Afghanistan, Albania, Bosnia and Herzegovina, Botswana, Bulgaria, Chad, Chile, Croatia, Denmark, France, Germany, Japan, Lao People's Democratic Republic, Lebanon, Mauritania, Mozambique, Peru, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland.

funding for stockpile destruction, victim assistance and other operative areas of the CCM in a long-term perspective?

(b) How can States parties ensure that international assistance and cooperation efforts are linked to actual needs on the ground and broadened to include exchange of equipment, technology, skills and experience?

(c) How can States parties and other actors providing assistance structure their support according to national plans and priorities, including through enabling long-term planning?

(d) How can all actors work together in building national capacities and strengthening national ownership?

(e) How can the provision of international cooperation and assistance be used to encourage the use of the most efficient methodologies?

(f) How can more States parties be mobilized to implement actions #37 to #42?

VII. Implementation support

69. States, the United Nations, International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the Cluster Munitions Coalition, civil society and several other entities have participated in and contributed to the formal and informal meetings of the CCM since its entry into force. The Presidencies,[140] friends of Presidents, Coordinators and other States parties have consulted broadly with relevant organizations, in accordance with actions #51 and #52.

70. Since the adoption of the Vientiane Action Plan at the First Meeting of States Parties, an intersessional programme of work has been established, and since the Second Meeting of States Parties a Coordination Committee has met regularly, succeeding the Group of Friends under the first Presidency. Under the overall lead by presidents and the executive coordination provided by UNDP, coordinators of the six thematic working groups,[141] as well as the working group Chairs on reporting and national implementation measures, have been actively involved in the preparations for, and the execution of, intersessional meetings, the Meetings of States Parties and the drafting of annual progress reports monitoring progress in implementing the Vientiane Action Plan up to the First Review Conference of the CCM.

71. Under the Presidency of the Fifth Meeting of States Parties, UNDP worked with coordinators in the process of drafting the subsequent review of the Vientiane Action Plan in 2014 in preparation for the first Review Conference at which time, Working Groups of Experts were established consisting of thematically engaged States and representatives of international, national and non-governmental organisations. The draft Vientiane Action Plan Review was presented at the first Preparatory Meeting ahead of the first Review Conference and will be submitted in its final form to the Review Conference. This work was taken forward by the President-designate of the first Review Conference, supported by UNDP and Coordinators who have also led the consultation process within their respective thematic Working Groups of Experts and the elaboration of the forthcoming successor, the Dubrovnik Action Plan.

[140] Lao People's Democratic Republic, Lebanon, Norway, Zambia and Costa Rica.

[141] General Status and Operation of the Convention, Universalization, Victim Assistance, Clearance and Risk Reduction, Stockpile Destruction, and Cooperation and Assistance.

72. The Coordination Committee includes observer representatives from the CMC, the ICRC, the United Nations Office for Disarmament Affairs and UNDP in its executive coordination and implementation support capacity. The ICRC, the CMC and UNDP have, together with others, continued to play vital roles in the implementation of the CCM, including as organisers and facilitators as well as panellists in various thematic sessions and workshops at meetings under the CCM. The GICHD has provided some logistical support to the organization of the intersessional meetings.

73. At the Second Meeting of States Parties, States parties decided that the CCM would benefit from an entity charged with the support to States on the implementation of the CCM, and the President was mandated to initiate the drafting of components for a hosting agreement and a funding model for its establishment.[142] Building on the work of the previous presidency, the President of the Third Meeting of States Parties continued consultations on a funding model and the subsequent establishment of the ISU, including consultations with the GICHD on a hosting agreement. The work subsequently led to the decisions at the Fourth Meeting of States Parties on the establishment of an ISU and the concrete steps on how to take it forward, parallel to ensuring continuity in the implementation support by means of requesting UNDP to continue its work until the conclusion of the Presidency of the Fifth Meeting of States Parties including remaining with the management, decision-making and accountability of the work.[143] Following consultations and discussions among States, the Meeting decided to mandate the President of the Fourth Meeting of States Parties to conclude, in consultation with States parties, an agreement with the GICHD on the hosting of the unit, and further to this, for the President to decide in a transparent way and in consultation with the Coordinators, as well as taking into account the views of all States parties, on the recruitment of the Director.[144]

74. The process of the recruitment of the Director of the CCM Implementation Support Unit was initiated in July 2014 under the President of the Fourth Meeting of States Parties. The selection panel, chaired by Costa Rica also comprised the following four States parties: Lao People's Democratic Republic, Lebanon, the Netherlands and Zambia.[145]

75. A hosting agreement[146] was concluded on 2 August 2014 and the successful recruitment of the ISU Director, Ms. Sheila Mweemba, from Zambia, was announced on 1 April 2015 by the President of the Fifth Meeting of States Parties.[147] In early March 2015, and with the preparatory process for the Review Conference in mind, a transition plan was put in place by the President of the Fifth Meeting of States Parties , the President-designate and UNDP outlining the milestones for handover and a clear division of work with UNDP predominantly working on substantive elements in preparation for the Review Conference whilst the new ISU provides the organisational and logistical support to the President-designate and the sponsorship programme dedicated to this meeting.

76. In preparing for the first Review Conference, further support has been provided in the drafting and subsequent consultation process of four documents: a draft Dubrovnik declaration, a draft Dubrovnik Action Plan, a document on the post-Review Conference machinery and meeting schedule and the Croatia Progress Report - monitoring progress in implementing the Vientiane Action Plan up to the First Review Conference of the Convention on Cluster Munitions, together with other procedural matters including a provisional agenda, a provisional programme of work and an annotated programme of work.

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[142] CCM/MSP/2011/5, para 29.
[143] CCM/MSP/2013/6, para 32.
[144] CCM/MSP/2013/6, para. 31.
[145] CCM/MSP/2014/6, para. 26.
[146] www.clusterconvention.org/files/2012/02/ISU-CCM-Hosting-agreement.pdf
[147] www.clusterconvention.org/files/2012/02/Director-ISU-CCM-notification.pdf

The first mentioned three documents have furthermore been subject to extensive exchanges of views during the first and second preparatory meetings in advance of the first Review Conference at which time States parties also considered and discussed, the prospects for a sustainable and predictable funding model for the new Implementation Support Unit.

77. Further to this, and against the backdrop of decisions during the Fourth Meeting of States Parties, an intersessional meeting took place 22-23 June 2015, back-to-back with the Standing Committees of the Anti-Personnel Mine Ban Convention, chaired by the President of the Fifth Meeting of States Parties and undertaken with logistical support from GICHD.

Challenges and questions for discussion at the first Review Conference

78. One challenge that remains is to decide on a sustainable and predictable funding model for the Implementation Support Unit that ensures sustainability, universal ownership and accountability towards all States parties.

79. Questions to discuss at the first Review Conference may include:

How can the formal and informal meetings be organized so that they function to best support the norms of the CCM and its effective implementation?

VIII. Transparency measures[148]

Scope

80. All States parties to the CCM are required to report, initially, within 180 days of entry into force of the CCM for that State party, and then annually with updates by 30 April. Since entry into force, three States[149] not yet party to the CCM have also submitted voluntary initial transparency reports, one of which have now become a State party[150] and subsequently also submitted its first annual update.

Progress

81. In line with Article 7 and action #58, sixty-eight of the 84 States parties due[151] have submitted their initial Article 7 transparency report leaving seventeen States parties[152] overdue with their initial Article 7 transparency report submission. One State party[153] submitted its initial report before ratifying the CCM.

82. Eighty-four States parties were required to submit annual Article 7 transparency reports by 30 April 2015 in accordance with Article 7.2 and action #59. Of these, and as of 18 June, as many as 44 States parties had yet to submit their annual reports. From 2014 to 2015, the delivery rate of annual transparency reports decreased from 51 per cent in 2014 to 48 per cent in 2015. Although not with the potential life threatening consequences of breaches of other obligations of the CCM, Article 7 submissions are requirements under the CCM. A failure to do so would therefore, by definition constitute a matter of non-compliance. As in previous years, and with support from UNDP, the Coordinator on

[148] Annex I, "Tables outlining progress updates in the various thematic areas: Transparency measures".
[149] Canada, Democratic Republic of the Congo and Palau.
[150] Canada.
[151] The initial Article 7 Transparency reports of the eight States who have ratified or acceded to the CCM since the Fifth Meeting of States Parties , e.g. Belize, Congo, Guinea, Guyana, State of Palestine, Paraguay, Canada and South Africa, are not yet due.
[152] See annex "States Parties that have yet to submit initial Art. 7 report".
[153] Canada.

matters pertaining to reporting, has sent letters reminding States parties of their reporting obligations as well as on matters of outstanding reports.

83. Since entry into force, voluntary reporting formats have been prepared by the Coordinator with the aim of facilitating coherent and comprehensive reporting. In line with action #59 and action #62, a "Guide to reporting"[154] was prepared as well as the paper "Transparency measures and the exchange of information in the context of the CCM: State of play and the way ahead for a better exchange of information" (CCM/MSP/2013/WP.4) aimed at maximizing reporting as a tool to assist and cooperate in the implementation of the CCM. To signal the compliance aspect of reporting, in 2014, the Coordinator reported on updates under the agenda item Compliance at the intersessional meetings.

Challenges and questions for discussion at the first Review Conference:

84. The main challenge under reporting is to ensure that all States comply with reporting obligations. The challenge of enhancing quality of reporting has also been raised in the reporting period but as the submission rate is getting alarmingly low, the quantitative aspect of reporting remain the priority at this time.

85. Questions to discuss at the first Review Conference may include:

What are the factors preventing higher submission rates of both initial and annual transparency reports?

IX. National implementation measures[155]

Scope

86. A total of 24 States parties[156] have now adopted legislation specifically aimed at the implementation of the CCM, while 24 States parties[157] consider their existing legislation to be sufficient. Twenty-three States parties[158] and one signatory[159] are in the process of either reviewing legislation with the objective to determine the need for further actions or adopting legislation. Not counting the eight States parties that have joined since the Fifth Meeting of States Parties , a further 16 State parties[160] have not provided information in line with action #64 on how they view their status of national implementation measures. Out of the eight states that have joined since the Fifth Meeting of States Parties, three have provided information in advance of their reporting deadlines.

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[154] http://www.clusterconvention.org/files/2011/01/Reporting_guide_CCM_-August-2012.pdf

[155] Annex I, "Tables outlining progress updates in the various thematic areas: National implementation measures".

[156] Australia, Austria, Belgium, Canada, Cook Islands, Czech Republic, Ecuador, France, Germany, Guatemala, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, New Zealand, Norway, Portugal, Samoa, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

[157] Albania, Andorra, Bosnia and Herzegovina, Bulgaria, Chile, Costa Rica, Denmark, Guinea-Bissau, Holy See, Lithuania, Malta, Mauritania, Mexico, Republic of Moldova, Montenegro, Netherlands, Nicaragua, Peru, San Marino, Senegal, Slovenia, The former Yugoslav Republic of Macedonia, Tunisia and Uruguay.

[158] Afghanistan, Belize, Botswana, Burkina Faso, Burundi, Congo, Cote d'Ivoire, Croatia, Ghana, Grenada, Lao People's Democratic Republic, Lebanon, Lesotho, Malawi, Mali, Mozambique, Niger, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Swaziland, Togo and Zambia.

[159] Democratic Republic of the Congo.

[160] Antigua and Barbuda, Bolivia, Cameroon, Cape Verde, Chad, Comoros, Dominican Republic, El Salvador, Fiji, Honduras, Iraq, Monaco, Nauru, Panama, Saint Kitts and Nevis and Trinidad and Tobago.

Progress

87. Of the eight new States parties to the CCM in the reporting period, one[161] has adopted national legislation as outlined by action #63 and in accordance with Article 9, and two have indicated that they are in the process of adopting new legislation.[162]

88. The development and adoption of legislation to enable effective implementation of the CCM remains a challenge for a number of States parties. To support States in this process, a number of tools have been developed. In 2009, the ICRC published the guidance paper "Model law: Convention on Cluster Munitions - Legislation for Common Law States on the 2008 Convention on Cluster Munitions".[163] In 2011, the Coordinator on matters pertaining to national implementation measures prepared and published a shorter model entitled "Model Legislation: Cluster Munitions Act 201[ ]" tailored for non-possessor, non-contaminated States.[164]

89. In addition, and with the support of the Democratic Republic of the Congo, the Coordinator, the ICRC, the CMC and UNDP, Ghana has been working on draft model legislation for African countries under civil and common law systems. In pursuit of this goal, workshops were held in Geneva in early 2014 to explore the challenges faced by African States in the process of ratifying the CCM. A model legislation drafting workshop was also held in San José, Costa Rica in September 2014 to enable consideration of the African draft model. The model is designed to be suitable for both common and civil law countries and is available in both French and English. In June 2015, the ICRC and the Government of Zambia co-hosted a workshop for states in southern Africa on advancing adherence to the CCM and the development and adoption of national legislation to implement the CCM.

Challenges and questions for discussion at the first Review Conference:

90. The main challenge under national implementation measures is to ensure that all States swiftly review, develop and adopt any legislation deemed necessary for the effective implementation of the CCM.

91. Questions to discuss at the first Review Conference may include:

What are the factors preventing greater progress in national implementation and what assistance might States parties and signatories need to facilitate their adoption of implementing legislation?

[161] Canada.
[162] Belize and Congo.
[163] Available from http://www.clusterconvention.org/files/2013/03/model_law_clusters_munitions.pdf.
[164] CCM/MSP/2011/WP.6

Annex

Tables and graphs outlining progress updates in the various thematic areas

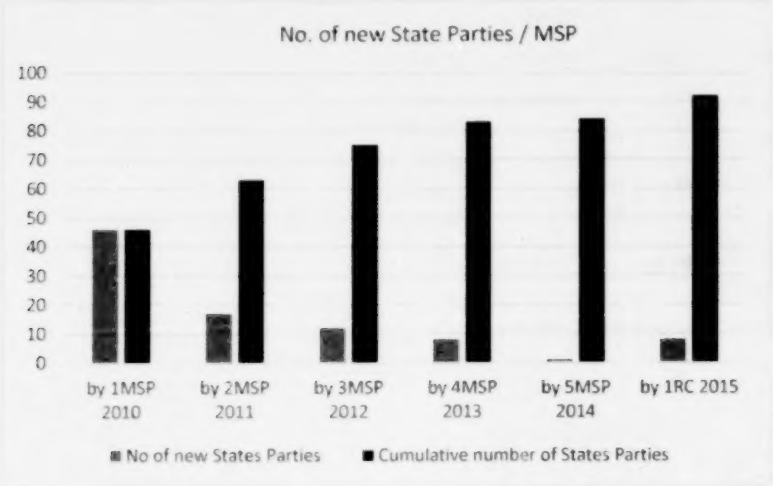
Universalization

92 States parties (by region)				24 signatory States (by region)		
Africa (26)				Africa (16)		
Botswana	Côte d'Ivoire	Mauritania	Swaziland	Angola	Kenya	Sao Tome and Principe
Burkina Faso	Ghana	Mozambique	Togo	Benin	Liberia	
Burundi	**Guinea**	Niger	Tunisia	Central African Republic	Madagascar	Somalia
Cameroon	Guinea-Bissau	Senegal	Zambia	Democratic Republic of the Congo	Namibia	Uganda
Cape Verde		Seychelles		Djibouti	Nigeria	Tanzania
Chad	Lesotho	Sierra Leone		Gambia	Rwanda	
Comoros	Malawi	**South Africa**				
Congo	Mali					
Americas (22)				Americas (3)		
Antigua and Barbuda	Dominican Republic	Honduras	Saint Kitts and Nevis	Colombia		
		Mexico		Haiti		
Belize	Ecuador	Nicaragua	St Vincent and the Grenadines	Jamaica		
Bolivia	El Salvador	Panama				
Canada	Grenada	**Paraguay**	Trinidad and Tobago			
Chile	Guatemala	Perú				
Costa Rica	**Guyana**		Uruguay			
Asia (3)				Asia (2)		
Afghanistan	Japan	Lao People's Democratic Republic		Indonesia	Philippines	
Europe (32)				Europe (2)		
Albania	Germany	Malta	Spain	Cyprus		

Universalization

Andorra	Holy See	Republic of Moldova	Sweden	Iceland
Austria	Hungary	Monaco	Switzerland	
Belgium	Italy	Montenegro	United Kingdom of Great Britain and Northern Ireland	
Bosnia and Herzegovina	Ireland	Netherlands		
Bulgaria	Liechtenstein	Norway		
Croatia	Lithuania	Portugal		
Czech Republic	Luxembourg	San Marino		
Denmark	The former Yugoslav Republic of Macedonia	Slovenia		
France				
Middle East (3)				Middle East (0)
Iraq	Lebanon	State of Palestine		
Pacific (6)				Pacific (1)
Australia	Fiji	New Zealand		Palau
Cook Islands	Nauru	Samoa		

[English only]



Stockpile destruction under Article 3

States parties with stockpile destruction obligations[1]

Botswana	**Guinea**	**South Africa**
Bulgaria	Guinea-Bissau	Spain
Croatia	Italy	Sweden
France	Mozambique	Switzerland
Germany	Peru	

[1] New States Parties in bold.

States parties that have completed stockpile destruction[2]

Afghanistan	Czech Republic	Netherlands
Austria	Denmark	Norway
Belgium	Ecuador	Portugal
Bosnia and Herzegovina	Honduras	Republic of Moldova
Canada	Hungary	Slovenia
Chile	Iraq	Spain
Congo	**Japan**	The former Yugoslav Republic of Macedonia
Côte d'Ivoire	Montenegro	United Kingdom of Great Britain and Northern Ireland

States parties retaining stockpiles for permitted purposes

Belgium	Germany	Sweden
Czech Republic	Italy	Switzerland
Denmark	Netherlands	
France	Spain	

States parties that have provided information on retained stockpiles

Belgium	Germany	Sweden
Czech Republic	Italy	Switzerland
Denmark	Netherlands	
France	Spain	

[2] States parties having completed obligations under Article 3 in the reporting period in bold.

Submission of initial transparency reports under Article 7 (as of 18 June 2015)

States parties that have submitted their initial transparency report

Afghanistan	Grenada	Nicaragua
Albania	Guatemala	Norway
Andorra	Holy See	Peru
Antigua and Barbuda	Hungary	Portugal
Australia	Iraq	Moldova
Austria	Ireland	Saint Vincent & the Grenadines
Belgium	Italy	
Bosnia and Herzegovina	Japan	Samoa
Botswana	Lao People's Democratic Republic	San Marino
Bulgaria	Lebanon	Senegal
Burkina Faso	Lesotho	Seychelles
Burundi	Liechtenstein	Sierra Leone
Canada[3]	Lithuania	Slovenia
Chile	Luxembourg	Spain
Costa Rica	Malawi	Swaziland
Cote d'Ivoire	Malta	Sweden
Croatia	Mauritania	Switzerland
Czech Republic	Mexico	The former Yugoslav Republic of Macedonia
Denmark	Monaco	Trinidad and Tobago
Ecuador	Montenegro	United Kingdom of Great Britain and Northern Ireland
El Salvador	Mozambique	Uruguay
France	Netherlands	Zambia
Germany	New Zealand	
Ghana		

[3] Report submitted on a voluntary basis while still a signatory State.

Submission of initial transparency reports under Article 7 (as of 18 June 2015)

States parties that have yet to submit an initial transparency report

Bolivia	Dominican Republic	Niger
Cameroon	Fiji	Panama
Cape Verde	Guinea-Bissau	Saint Kitts and Nevis
Chad	Honduras	Togo
Comoros	Mali	Tunisia
Cook Islands	Nauru	

States parties with the initial transparency report not yet due

Belize	28 August 2015
Canada	27 February 2016
Congo	28 August 2015
Guinea	19 April 2015
Guyana	27 September 2015
Paraguay	28 February 2016
South Africa	29 April 2016
State of Palestine	27 December 2015

States parties that have submitted annual reports

Afghanistan	2013, 2014, 2015	Lao People's Democratic Republic	2012, 2013, 2014, 2015
Albania	2012, 2013, 2014, 2015	Lebanon	2012, 2013, 2014
Antigua and Barbuda	2014	Liechtenstein	2015
Australia	2014, 2015	Lithuania	2012, 2013, 2014
Austria	2012, 2013, 2014, 2015	Luxembourg	2012, 2014, 2015
Belgium	2012, 2013, 2014, 2015	Mauritania	2014, 2015
Bosnia and Herzegovina	2012, 2013, 2014, 2015	Mexico	2012, 2013, 2014, 2015
Botswana	2014	Monaco	2012, 2014
Bulgaria	2013, 2014, 2015	Montenegro	2013, 2014, 2015
Burkina Faso	2013	Mozambique	2013, 2014, 2015
Canada[4]	2012, 2013, 2014, 2015	Netherlands	2012, 2013, 2014, 2015
Chile	2013	New Zealand	2012, 2013, 2014, 2015
Costa Rica	2015	Nicaragua	2013
Cote d'Ivoire	2014	Norway	2012, 2013, 2014, 2015
Croatia	2012, 2013, 2014, 2015	Peru	2014, 2015
Czech Republic	2013, 2014, 2015	Portugal	2012, 2013, 2014, 2015
Denmark	2012, 2013, 2014, 2015	Moldova	2012, 2013
Ecuador	2013	San Marino	2012, 2013, 2014, 2015
El Salvador	2015	Senegal	2014
France	2012, 2013, 2014, 2015	Slovenia	2012, 2013, 2014, 2015

[4] Canada submitted annual reports from 2012 to 2014 on a voluntary basis and in 2015 as State party to the Convention on Cluster Munitions.

Submission of annual transparency reports under Article 7 (as of 18 June 2015)

Germany	2012, 2013, 2014, 2015	Spain	2012, 2013, 2014, 2015
Ghana	2012, 2013, 2014	Swaziland	2014, 2015
Grenada	2013	Sweden	2014, 2015
Guatemala	2012, 2013	Switzerland	2014, 2015
Holy See	2012, 2013, 2014, 2015	The former Yugoslav Republic of Macedonia	2012, 2013, 2014, 2015
Iraq	2015	Trinidad and Tobago	2014, 2015
Ireland	2012, 2013, 2014, 2015	United Kingdom of Great Britain and Northern Ireland	2012, 2013, 2014, 2015
Italy	2013, 2014, 2015	Uruguay	2013
Japan	2012, 2013, 2014, 2015	Zambia	2012, 2013, 2014

States parties that have yet to submit annual reports

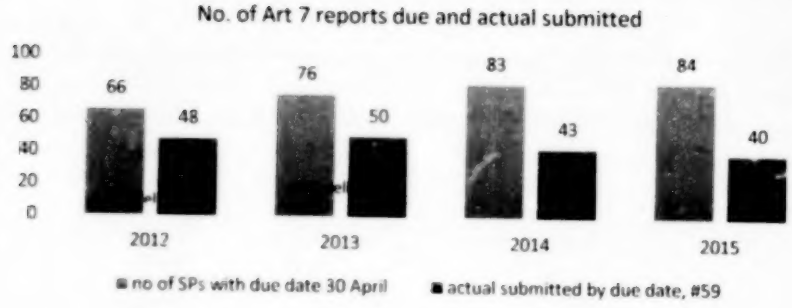
Andorra	Fiji	Nicaragua
Antigua and Barbuda	Ghana	Niger
Bolivia	Grenada	Panama
Botswana	Guatemala	Moldova
Burkina Faso	Guinea-Bissau	Saint-Kitts-and-Nevis
Burundi	Honduras	Saint Vincent and the Grenadines
Cameroon	Hungary	
Cape Verde	Lebanon	Samoa
Chad	Lesotho	Senegal
Chile	Lithuania	Seychelles
Comoros	Malawi	Sierra Leone
Cook Islands	Mali	Togo
Cote d'Ivoire	Malta	Tunisia
Dominican Republic	Monaco	Uruguay
Ecuador	Nauru	Zambia

Submission of annual transparency reports under Article 7 (as of 18 June 2015)

Signatories that have submitted voluntary reports

Democratic Republic of the Congo	in 2011, 2012 and 2014
Palau	in 2011

[English only]



States considering existing legislation to be sufficient

Albania	Holy See	Nicaragua
Andorra	Lithuania	Peru
Bosnia and Herzegovina	Malta	San Marino
Bulgaria	Mauritania	Senegal
Chile	Mexico	Slovenia
Costa Rica	Moldova	The former Yugoslav Republic of Macedonia
Denmark	Montenegro	Tunisia
Guinea-Bissau	Netherlands	Uruguay

States parties that have adopted legislation relating to the Convention's implementation

Australia	Germany	New Zealand
Austria	Guatemala	Norway
Belgium	Hungary	Portugal
Canada	Ireland	Samoa
Cook Islands	Italy	Spain
Czech Republic	Japan	Sweden
Ecuador	Liechtenstein	Switzerland
France	Luxembourg	United Kingdom of Great Britain and Northern Ireland

States parties that are developing/reviewing legislation relating to the Convention's implementation

Afghanistan	Ghana	Niger
Belize	Grenada	Saint Vincent and the Grenadines
Botswana	Lao People's Democratic Republic	
Burkina Faso	Lebanon	Seychelles
Burundi	Lesotho	Sierra Leone
Congo	Malawi	Swaziland
Cote d'Ivoire	Mali	Togo
Croatia	Mozambique	Zambia

[English only]